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FM AMEMBASSY PHNOM PENH
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INFO RUCNASE/ASEAN MEMBER COLLECTIVE

UNCLAS PHNOM PENH 000458

SENSITIVE
SIPDIS

STATE FOR EAP/MLS
STATE PLEASE PASS FOR USTR DAVID BISBEE

E.O. 12958: N/A
TAGS: [EINV](#) [KIDE](#) [CASC](#) [PGOV](#) [CB](#)
SUBJECT: 2009 Report on Investment Disputes and Expropriation

REF: STATE 49477

SENSITIVE BUT UNCLASSIFIED

[1](#)1. (SBU) Summary. The Cambodian Constitution and laws protect against expropriation, except confiscation in the public interest. When property is seized in the public interest, just compensation is required. Post is not aware of property being taken from U.S. persons by the Cambodian government through July 1, 2009. End Summary.

No Investment Disputes or
Expropriation Claims Reported

[1](#)2. (U) Article 44 of the Cambodian Constitution says "the (state's) right to confiscate properties from any person shall be exercised only in the public interest as provided for under the law and shall require fair and just compensation in advance." The Law on Investment also provides that "the Royal Government of Cambodia shall not undertake a nationalization policy which adversely affects the private property of investors."

[1](#)3. (U) Cambodian laws are not uniformly applied and enforcement is often biased towards individuals with connections to the government. However, Post is not aware of any investment disputes or expropriation claims involving U.S. persons and the Cambodian government through July 1, 2009.

RODLEY